

Applicant: Wu et al.
Application No.: 10/615,679

REMARKS

Claims 1-10 are currently pending in this application. Claims 1-10 have been rejected under 35 U.S.C. § 103 as being unpatentable over Applicants' Figures 1 and 2 in view of U.S. Patent 6,589,075 (Wu). Applicants respectfully traverse this rejection.

Wu does not meet the standard set forth in the MPEP necessary to qualify as analogous art to Applicants' claimed invention and thus, Wu cannot be used as part of a Section 103 rejection against Applicants' claims 1-10. The standard for analogous art is as follows. "In order to rely on a reference as a basis for rejection of an applicant's invention, the reference must either be in applicant's field of endeavor or, if not, then be reasonable pertinent to the particular problem with which the invention is concerned." MPEP § 2141.01(a).

Applicants respectfully submit that Wu's patent is not analogous art to Applicants' claimed invention. Wu and Applicants' invention are not used to solve the same problem. Applicants' claimed invention is directed to overcoming difficulties and risks of damaging electronic elements during welding, manufacturing and assembling due to the limited space of a container housing a circuit and the main portion of a socket. In contrast, the purpose of Wu' patent is to provide a device that allows customers to rapidly assemble a lamp by simplifying the engagement between a lamp rod and a lamp seat. The basis for the design and

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the principal problems to be solved by the present invention are completely different from those of Wu. Applicant's claims are directed to the electrical socket art while Wu is directed to quick assembly mechanisms especially designed for structural lamp members. Therefore, Applicants respectfully submit that Wu is non-analogous prior art. Accordingly, Wu cannot be relied on as a reference to form a Section 103 rejection.

Not only is Wu in a totally different field of endeavor from Applicants' claimed invention, but Wu is directed to completely different problems from those of Applicants' claimed invention. The present invention overcomes the some of the problems mentioned above and provides a device that requires less steps to assemble to produce a socket and a container. As described in Applicants' specification, the present invention provides a socket which can be pre-welded with a circuit board before assembling, namely after connecting the socket with the circuit board, the socket is then connected to the container. It has the advantage of simplifying the fabricating processes and increasing the assembling efficiency. And the present invention provides a simple and safe design that will improve manufacturer's yield rate.

Wu is totally directed to a different problem. Wu is directed to simplifying assembly for unskilled consumers. Wu allows users to stud and nut the lamp rod and the lamp seat while trying to reduce the potential danger of exposed electric

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wires. According to Wu's invention, it provides the user an easy way to connect the lamp rod to the lamp seat. Thus, Wu only requires the user to insert the lamp rod into the lamp seat and there is no need to stud the lamp rod in position. Put another way, Wu's invention cannot provide the simple and more efficient structure of Applicants' invention because the entire object, focus, and goal of Wu is different from Applicants. Accordingly, as the Wu device is completely different from Applicants' claimed structure and the purpose of Wu is completely different from Applicants' claimed device, people skilled in the art would not find that the Wu patent is analogous to Applicants' claimed invention. Applicants respectfully further submit that Wu is non-analogous prior art and cannot be relied on as a reference to form a Section 103 rejection.

When combining references to form a rejection under 35 U.S.C. '103:

The Examiner has the burden of establishing a prima facie case of obviousness.

The Examiner can set aside this burden only by showing an objective teaching in the prior art, or that knowledge generally available to one ordinarily schooled in the art, would lead the individual to combine the relevant teachings of the references in the manner suggested by the Examiner.

MPEP § 2142, § 2143.01.

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Wu merely identifies some elements recited in Applicants' claims, but does so in a completely different structural system than Applicants. There is no disclosure teaching or suggestion in the references, which would suggest to one of skill in the art that Wu and Applicants' Figures 1 and 2 could be combined. Furthermore, there is nothing in the prior art that suggests the desirability of making the suggested combination. To establish a prima facie case of obviousness there should be something in the prior art or a convincing line of reasoning suggesting the desirability of combining the reference in such a manner as to arrive at the claimed invention... EX parte Hiyamizu, 10 USPQ2d, 1393,1394 (Bd Pat. App. & Inter, 1988). Applicants respectfully submit that the this rejection does not meet the prima facie test for establishing obviousness.

Page 2, paragraph 2 of the Office Action, states that:

1. The applicant's APA substantially disclose the claimed invention except for the second end having a cross-section larger than the first end so that the first end passing through the opening from inside of the container, and the second end is not passing through the opening.
2. Wu teaches a socket (1) having a first end (threaded portion) and a second end (un-threaded portion, see Figure 1).
3. The first end having smaller cross-section than the cross section of second end is passing through to an opening (D1) of the container (D).

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Applicants respectfully submit that the component identified in the office action as being the equivalent to Applicants' claimed socket is actually a lamp seat. Although Figure 1 shown the threaded portion of the lamp seat having a smaller cross-section than the cross section of the un-threaded portion of the lamp seat for inserting the lamp seat into opening (D1) of the container (D), there is no specific disclosure, teaching, or suggestion of the cross-section of the identified first end being smaller than the cross-section of second end to secure the lamp seat therein. There is also no suggestion that the different size of the two portions of the lamp seat is used for securing the lamp seat within the wire connecting box. Thus, Wu fails to disclose, teach, or suggest the lamp seat being secured by a component that is the equivalent of Applicants' disclosed positioning ring (D2).

In other words, the outstanding rejection assumes that the cross section of threaded portion of lamp seat is smaller than that of the un-threaded portion prevents the lamp seat from being partially withdrawn from the wire connecting box. In contrast, Applicants claim that the second end has a cross-section larger than the first end so that the first end passes through the opening from inside of the container while the second end cannot pass through the opening is not disclosed in the prior art. The cited prior art was intended nor designed to accomplish the function of Applicants' claimed invention. Accordingly, the prior art would not have suggested the patented idea to a person skilled in the art.

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Applicants respectfully disagree with what the assertion that Applicant's APA substantially discloses the claimed invention except for the second end having a cross-section larger than the first end so that the first end passing through the opening from inside of the container, and the second end is not passing through the opening. Besides that feature, there are other important features not disclosed by Applicants' Figures 1 and 2. First, the present invention provides a socket connected with a circuit board before being combined with a container to overcome the disadvantages derived from the manufacturing and assembling processes in the prior art (as shown in Figs. 1A-1C). The present invention has many important features not taught or suggested by the Applicants' Figures 1 and 2.

For the above reasons, Applicants respectfully submit that the presently claimed invention is patentable over the prior art. Applicants respectfully request that the Examiner reconsider and withdraw this Section 103 rejection.

If the Examiner believes that any additional matters need to be addressed to place this application in condition for allowance, the Examiner is respectfully invited to contact the undersigned, by telephone, at the Examiner's convenience.

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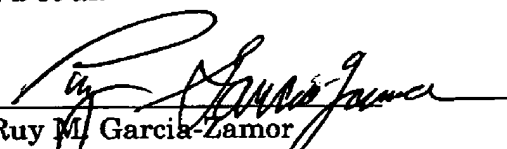
CONCLUSION

In view of the foregoing Remarks, Applicants respectfully submit that the present application, including claims 1-10, is in condition for allowance and a notice to that effect is respectfully solicited.

Respectfully submitted,

Wu et al.

By


Ruy M. Garcia-Zamor
Registration No. 44,117
(215) 568-6400

Volpe and Koenig, P.C.
United Plaza, Suite 1600
30 South 17th Street
Philadelphia, PA 19103

RGZ/vs
Enclosures